Title: Engine Cover Puller

App. No.: 10/687,990 Inventor: Barry Wyrick et al. Examiner: Essama Omgba

REMARKS/ARGUMENTS

Allowable Subject Matter

Applicant appreciates allowance of claim 19 by the Examiner, as well as his

indication that claims 4, 5, 11, 12 and 17 would be allowable if rewritten in independent

form including all of the limitations of the base claim and any intervening claims.

Applicant has added new claims 20 and 21, which include the subject matter of

independent claim 1 and dependent claim 4, and independent claim 6 and dependent

claim 11, respectively.

In the Specification:

Per the Examiner's request, a substitute specification is enclosed herewith. A

marked-up copy of the original specification showing changes made in the previously-

filed preliminary amendment is also enclosed. No new material has been added to the

substitute specification.

Applicant has changed the term "elevational" appearing in the version of

paragraph [0020] previously submitted by preliminary amendment. Paragraph [0020]

now reads "Also shown on the perspective view ..." As such, the Examiner's objection

is now moot and can be withdrawn.

In the Claims:

Claims 1-21 are now pending in the present application. Claims 1, 6, 10 and 15

have been amended. The amended language is fully supported by the original

specification, such as may be found in the title, in the language "puller arm," in the

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disclosure of original paragraph [0027], and in the drawing figures. New claims 20 and

21 have been added as described above.

Rejection of Claims 1-3, 6-10, 13-16 and 18 Under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-3, 6-10, 13-16 and 18 under 35 U.S.C. § 102(b)

as being anticipated by Jagt (US 5,181,440). As Applicant does not believe Jagt to

teach the subject matter of amended claims 1-3, 6-10, 13-16 and 18, the rejection is

respectfully traversed.

Jagt teaches a tool (35) for measuring the travel of a vehicle brake rod. To that

end, it consists of a "pusher" portion (46) adapted to abut the face wall (22) of a brake

actuator while simultaneously straddling a brake rod (23). A handle (36) is pivotally

connected to the pusher portion. A member (60) is also pivotally connected to the

handle and extends outward therefrom. As explained in the disclosure, and as can be

best observed in Figures 8-9, the tool operates by pushing a slack adjustment arm (25)

away from the brake actuator so that the amount of brake rod travel can be measured.

The tool acts as a lever that separates the two components by its expansion.

In contrast, the engine cover puller of the present invention operates by applying

a pulling force to an engine cover component, such as a valve cover, in order to

separate it from another engine component. As such, the puller arm of the present

invention must be designed to engage with the cover component in a manner that

allows the engaged relationship to be maintained through application of the pulling force

and separation of the components. This is not possible with the design of the tool of

Jagt, as the member (60) and its free end (62) are not designed to engage another

component in a manner that would allow for application of a pulling force thereto. Nor is

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it ever suggested that the tool of Jagt can impart a pulling force to the slack adjustment

arm or another component. Certainly, the tool of Jagt would not be capable of applying

a pulling force to an engine cover component.

Therefore, there are significant differences between the tool of Jagt and the

engine cover puller of the present invention. Consequently, Applicant respectfully

submits that Jagt cannot support a rejection of claims 1-3, 6-10, 13-16 and 18 under 35

U.S.C. § 102(b).

CONCLUSION

Applicant has amended claims 1, 6, 10 and 15 and has added new claims 20-21.

Applicant has also distinguished the subject matter of the present invention over the

teachings of the reference cited as prior art by the Examiner.

Therefore, Applicant respectfully submits that the present application is now in

condition for allowance, and such action is earnestly requested. Telephone inquiry to

the undersigned in order to clarify or otherwise expedite prosecution of the present

application is respectfully encouraged.

Respectfully submitted,

Date: 1/12/06

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